

002-003274.JBM.267861

PTO/SB/08A (12/01)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

<b>Substitute for form 1449A/PTO</b>  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)				<b>Complete if Known</b>	
				Application Number	10/690,451
				Filing Date	October 21, 2003
				First Named Inventor	Sherman
				Group Art Unit	
Examiner Name					
Sheet	1	of	2	Attorney Docket No.	4002-3274

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Application of Cited Document	Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
JLS		2,987,062	06-06-1961	Ellison	
		4,279,249	07-21-1981	Vert et al.	
		4,338,926	07-13-1982	Kummer et al.	
		4,512,038	04-23-1985	Alexander et al.	
		4,539,981	09-10-1985	Tunc	
		4,550,449	11-05-1985	Tunc	
		4,655,203	04-07-1987	Tormala et al.	
		4,756,307	07-12-1988	Crowninshield	
		4,773,406	09-27-1988	Spector et al.	
		4,781,183	11-01-1988	Casey et al.	
		4,905,680	03-06-1990	Tunc	
		5,013,315	05-07-1991	Barrows	
		5,057,111	10-15-1991	Park	
		5,108,755	04-28-1992	Daniels et al.	
		5,261,911	11-16-1993	Carl	
		5,458,653	10-17-1995	Davidson	
		5,514,137	05-07-1996	Coutts	
		5,591,169	01-07-1997	Benoist	
		5,725,591	03-10-1998	DeCarlo, Jr. et al.	
		5,733,338	03-31-1998	Kampner	
		5,735,901	04-07-1998	Maumy et al.	
		5,779,706	07-14-1998	Tschakaloff	
		5,902,599	05-11-1999	Anseth et al.	
		5,935,127	08-10-1999	Border	
		5,935,172	08-10-1999	Ochoa et al.	
		6,004,323	12-21-1999	Park et al.	
		6,013,104	01-11-2000	Kampner	
		6,017,366	01-25-2000	Berman	
JLS		6,019,792	02-01-2000	Cauthen	

Examiner Signature	/James L Swiger/ (08/01/2006)	Date Considered	08/01/2006
--------------------	-------------------------------	-----------------	------------

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

INFORMATION DISCLOSURE CITATION LIST

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number

Substitute for form 1449A/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(use as many sheets as necessary)</i>				<b>Complete if Known</b>	
				Application Number	10/690,451
				Filing Date	October 21, 2003
				First Named Inventor	Sherman
				Group Art Unit	
				Examiner Name	
Sheet	2	of	2	Attorney Docket No.	4002-3274

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Application of Cited Document	Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
JLS		6,027,742	02-22-2000	Lee et al.	
		6,045,579	04-04-2000	Hochshuler et al.	
		6,080,193	06-27-2000	Hochshuler et al.	
		6,160,084	12-12-2000	Langer et al.	
		6,179,874	01-30-2001	Cauthen	
		6,187,008	02-13-2001	Hamman	
		6,206,883	03-27-2001	Tunc	
		6,214,008	04-10-2001	Illi	
		6,232,384	05-15-2001	Hyon	
		6,241,771	06-05-2001	Gresser et al.	
		6,293,949	09-25-2001	Justis et al.	
JLS		6,540,746	04-01-2003	Buhler et al.	

Examiner Signature	/James L Swiger/ (08/01/2006)	Date Considered	08/01/2006
--------------------	-------------------------------	-----------------	------------

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.




WEMMH PTO/SB/08a (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number

<b>Substitute for form 1449A/PTO</b>  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)				<b>Complete if Known</b>	
				Application Number	10/690,451
				Filing Date	October 21, 2003
				First Named Inventor	Michael C. SHERMAN et al.
				Group Art Unit	3732
				Examiner Name	Philogene, Pedro
Sheet	1	of	1	Attorney Docket No.	4002-3274

U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Application of Cited Document	Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (If known)				
JLS		US-	4,743,257	05-10-1988	Toermaelae et al.	
JLS		US-	5,092,884	03-03-1992	Devereux et al.	
JLS		US-	5,658,343	08-19-1997	Haeuselmann et al.	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Application of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)				
JLS		WO 86/00533 A	01-30-1986	Rijksuniversiteit Te Groningen		<input type="checkbox"/>
JLS		WO 03/043486 A	05-30-2003	Tufts University		<input type="checkbox"/>

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s) publisher city and/or country where published	T <sup>6</sup>
JLS		COFFEY A B et al., "Development of thin-walled fibre-reinforced structures for medical applications", COMPOSITES PART A: APPLIED SCIENCE AND MANUFACTURING, Elsevier Science Publishers B.V., Amsterdam, NL, Vol. 34, No. 6, June 2003 (2003-06), pages 535-542	<input type="checkbox"/>
JLS		SLOSARCZYK A et al., "Hot pressed hydroxyapatite-carbon fibre composites", JOURNAL OF THE EUROPEAN CERAMIC SOCIETY, Elsevier Science Publishers, Barking, Essex, GB, Vol. 20, No. 9, August 2000, pages 1397-1402	<input type="checkbox"/>
JLS		HUDGINS R GARRYL et al., "Assessment of compressive strength of flexible composite materials for spinal implantation", Journal of Composite Materials, Vol. 34, No. 17, 2000, pages 1472-1493	<input type="checkbox"/>

Examiner Signature	/James L Swiger/ (08/01/2006)	Date Considered	08/01/2006
-----------------------	-------------------------------	--------------------	------------

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number

<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)				<b>Complete if Known</b>	
				Application Number	10/690,451
				Filing Date	October 21, 2003
				First Named Inventor	Michael C. SHERMAN et al.
				Group Art Unit	3732
				Examiner Name	Unassigned
Sheet	1	of	1	Attorney Docket No.	4002-3274

U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Application of Cited Document	Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)				
JLS		US-	2002/103488 A1	08-01-2002	Lower et al.	
JLS		US-	2003/195515 A1	10-16-2003	Sohnen	

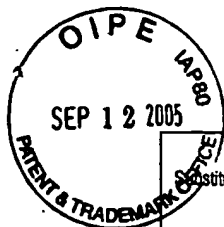
FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Application of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>3</sup>
		Country Code <sup>4</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)				
JLS		WO 2004/110290 A	12-23-2004	Synthes AG Chur		<input type="checkbox"/>

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s) publisher city and/or country where published	T <sup>3</sup>
JLS		Vert M: "Les Matériaux Bioresorbables" Cahiers D'Enseignement de la Sofcot, Expansion Scientifiques Francaise, FR, January 1986 (1986-01), pages 83-89, XP000606083	<input type="checkbox"/>

Examiner Signature	/James L Swiger/ (08/01/2006)	Date Considered	08/01/2006
-----------------------	-------------------------------	--------------------	------------

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.



WEMMH PTO/SB/08a (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number

<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)				<b>Complete if Known</b>	
				Application Number	10/690,451
				Filing Date	October 21, 2003
				First Named Inventor	Michael C. SHERMAN et al.
				Group Art Unit	3732
				Examiner Name	Unassigned
Sheet	1	of	1	Attorney Docket No.	4002-3274

U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Application of Cited Document	Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)				
JLS		US-	4,338,926	07-13-1982	Kummer et al.	
↓		US-	6,293,949	09-25-2001	Justis et al.	
↓		US-	2003/191470 A1	10-09-2003	Ritland	
↓		US-	6,605,090	08-12-2003	Trieu et al.	
JLS		US-	5,824,088	10-20-1998	Kirsch et al.	

FOREIGN PATENT DOCUMENTS							
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document		Publication Date MM-DD-YYYY	Name of Patentee or Application of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>3</sup>
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)					
JLS		DE 200 01 879 U1		03-30-2000	Aesculap AG & Co.		<input type="checkbox"/>
							<input type="checkbox"/>

Examiner Signature	/James L Swiger/ (08/01/2006)	Date Considered	08/01/2006
-----------------------	-------------------------------	--------------------	------------

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.